

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

W.R. GRACE & CO., *et al.*,

Debtors.

) Chapter 11
)
)

) Case No. 01-01139(JKF)
) (Jointly Administered)
)

) Docket No. 19369
)

) **CLAIMANT GLORIA MUNOZ'S**
) **EMERGENCY MOTION TO CONTINUE**
) **HEARING RE DEBTORS' OBJECTION**
) **TO HER CLAIM**
)
)

) Case No. 01-01140
) Claim No. 1595
)

GLORIA MUNOZ,

Plaintiff/Claimant,

vs.

W.R. GRACE & CO, - CONN., a
corporation, C.C. FRIAL, PEDRO
GONZALES "PETE," J.C. GONZALES
"JOE," and DOES I through XX,
inclusive,

Defendants

) IN THE SUPERIOR COURT OF THE
) STATE OF CALIFORNIA FOR THE
) COUNTY OF ALAMEDA
)

) CASE NO. 810748-2
)
)

Hearing Date: September 29, 2008 at 10:00 a.m.

COMES NOW Claimant GLORIA MUNOZ, by and through her counsel of record,
hereby moves this Court for an Order continuing the hearing date for Debtors W.R. GRACE &
COMPANY's, *et al.*, objection to Ms. Munoz' claim.

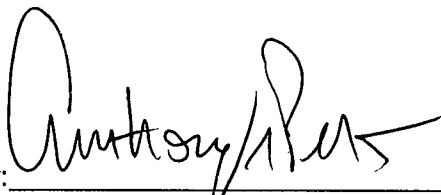
1. The hearing date for Debtors' objection to Ms. Munoz's claim is currently
scheduled for September 29, 2008.

2. Counsel for claimant needs time to obtain permission to appear pro hac vice before this Court. Additionally, counsel needs to find Delaware co-counsel. Counsel is presently only licensed to practice law in the State of California, and is currently admitted to practice before the United States District Courts for the Northern, Eastern and Western Districts of California.

3. Furthermore, counsel requires additional time to prepare for said hearing. Claimant's underlying employment discrimination case against debtor W.R. Grace has been stayed in California Superior Court since the inception of this chapter 11 bankruptcy matter in 2001. Discovery on liability and damages issues was interrupted by W.R. Grace's bankruptcy filing. Debtors' attorney has recently indicated to Claimant's counsel that W.R. Grace is interested in discussing the settlement of Ms. Munoz's claim. As such, counsel will need time to obtain and update information on Ms. Munoz's claim.

WHEREFORE, Claimant respectfully requests that the Court order a continuance of the hearing date of Debtors' objection to Ms. Munoz's claim for 30 days, or such other date as determined by the Court., and permit Claimant's counsel to appear pro hac vice. This is Claimant's first request for a continuance.

DATED: September 22, 2008

By: 

ANTHONY S. PETRU, ESQ.
HILDEBRAND, McLEOD & NELSON, LLP
350 Frank H. Ogawa Plaza, 4th Floor
Oakland, CA 94612-2006
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Attorneys for Claimant
GLORIA MUNOZ

CERTIFICATE OF MAILING

In re: W.R. Grace & Co., et al. (Debtors)

U.S. Bankruptcy Court, District of Delaware, Case No. 01-01139 (JKF)

I, TULOA SANCHEZ, hereby declare that I am a citizen of the United States and am over the age of eighteen (18) and am not a party to the above-entitled action. I am employed in the County of Alameda, California and my business address is Hildebrand, McLeod & Nelson, LLP, 350 Frank H. Ogawa Plaza, 4th Floor, Oakland, CA 94612-2006.

On September 22, 2008, I served the foregoing document(s) entitled:

[PROPOSED] ORDER CONTINUING HEARING RE DEBTOR'S OBJECTION TO CLAIMANT GLORIA MUNOZ'S CLAIM

by placing _ _ the original, _ X _ a true copy thereof, enclosed in a sealed envelope addressed as follows:

(SEE PROOF OF SERVICE LIST ATTACHED)

X BY MAIL: I caused such envelope(s) or package(s) to be deposited in the mail at Oakland, California with postage thereon fully prepaid. I am readily familiar with our firm's practice of collection and processing correspondence for mailing. Under that practice, it would be deposited with the U.S. Postal Service on that same day, in the ordinary course of business. The above sealed envelope(s) or package(s) was placed for collection and mailing on the above date following ordinary business practice.

BY PERSONAL SERVICE: I caused such envelope(s) containing a true copy thereof to be hand delivered to the parties listed.

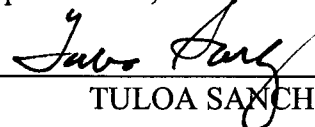
BY OVERNIGHT DELIVERY: I caused such envelope(s) or package(s) designated by Federal Express with delivery fees paid or provided and;

deposited such envelope(s) or package(s) in a facility regularly maintained by the Federal Express courier;

delivered such envelope(s) or packages to an authorized courier or driver authorized by Federal Express carrier to receive documents.

BY FACSIMILE: On _____ at _____ a.m./p.m., by use of facsimile machine telephone number 510-465-7023, I served a true copy of the above-entitled document(s) on the parties in said action by transmitting by facsimile machine to the numbers as set forth above. I caused the machine to print a transmission record of the transmission, a copy of which is attached to this Declaration.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration was executed on September 22, 2008 at Oakland, California.


TULOA SANCHEZ

CERTIFICATE OF MAILING (cont'd)*In re: W.R. Grace & Co., et al. (Debtors)*

U.S. Bankruptcy Court, District of Delaware, Case No. 01-01139 (JKF)

Kari E. Levine, Esq. SEYFARTH SHAW 560 Mission Street, Suite 3100 San Francisco, California 94105-2930 (Fax: 1-415-397-8549)	Representing: <i>Debtor, W.R. Grace re Munoz vs. W.R. Grace, California Superior, Alameda County, Case No. 810748-2</i>
Christopher T. Greco, Esq. KIRKLAND & ELLIS LLP Citigroup Center 153 East 53rd Street, Suite 39 New York, NY 10022 (Fax: 1 212-446-4900)	Co-counsel Representing: <i>Debtors W.R. GRACE & CO, et al.</i>
James E. O'Neill, Esq. PACHULSKI, STANG, ZIEHL & JONES, LLP 919 N. Market Street, Suite 17 P. O. Box 8705 Wilmington, DE 19899-8705 (courier 19801) (Fax: 1-302-652-4400)	Co-counsel Representing: <i>Debtors W.R. GRACE & CO, et al.</i>
Scott L Baena, Esq. BILZIN-SUMBERG First Union Financial Center 200 South Biscayne Boulevard, Suite 2500 Miami, FL 33131 (Fax: 1-305-374-7593)	Representing: <i>Official Committee of Property Damage Claimants</i>
Michael B. Joseph, Esq. FERRY & JOSEPH, P.A. 824 Market Street, Suite 904 P. O. Box 1351 Wilmington, DE 19899 (Fax: 1-302-575-1714)	Representing: <i>Official Committee of Property Damage Claimants</i>
Peter Van N. Lockwood, Esq. CAPLIN & DRYSDALE, CHARTERED One Thomas Circle, N.W. Washington, DC 20005 (Fax: 1-202-429-3301)	Representing: <i>Official Committee of Personal Injury Claimants</i>
Mart T. Huford, Esq. CAMPBELL & LEVINE, LLC 800 N. King Street, Suite 300 Wilmington, DE 19801 (Fax: 1-302-426-9947)	Representing: <i>Official Committee of Personal Injury Claimants</i>

CERTIFICATE OF MAILING (cont'd)*In re: W.R. Grace & Co., et al. (Debtors)*

U.S. Bankruptcy Court, District of Delaware, Case No. 01-01139 (JKF)

Lewis Kruger, Esq. STROOCK & STROOCK & LAVAN 180 Maiden Lane New York, NY 10038-4982 (Fax: 1-212-806-5430)	Representing: <i>Official Committee of Unsecured Creditors</i>
Michael R. Lastowski, Esq. DUANE, MORRIS & HECKSCHER, LLP 1100 N. Market Street, Suite 1200 Wilmington, DE 19801-1246 (1-302-657-4901)	Representing: <i>Official Committee of Unsecured Creditors</i>
Teresa K.D. Currier, Esq. BUCHANAN, INGERSOLL & ROONEY, P.C. 1000 West Street, Suite 1410 P.O. Box 1397 Wilmington, DE 19899-1397 (Fax: 1-302-552-4295)	Representing: <i>Official Committee of Equity Holders</i>
Gary Becker, Esq. KRAMER, LEVINE, NAFTALIS & FRANKEL LLP 919 Third Avenue New York, NY 10022	Representing: <i>Official Committee of Equity Holders</i>
Richard H. Wyron, Esq. ORRICK, HERRINGTON & SUTCLIFFE, LLP Columbia Center 1152 15th Street, N.W. Washington, D.C. 20005-1706 (Fax: 1-202-339-8500)	Representing: <i>Future Claimants' Representative</i>
John C. Phillips, Jr., Esq. PHILLIPS, GOLDMAN & SPENCE, P.A. 1200 N. Broom Street Wilmington, DE 19806 (Fax: 1-302-655-4210)	Representing: <i>Future Claimants' Representative</i>
David Klauder, Esq. Office of the United States Trustee J. Caleb Boggs Federal Building Suite 2207, Lockbox 35 844 N. King Street Wilmington, DE 19801 1-302-573-6491 1-302-573-6497 (fax)	Representing: <i>Office of the United States Trustee</i>